

Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

AIR QUALITY PERMIT

Permittee Name: Accuride Corporation
Mailing Address: 2315 Adams Lane
P.O. Box 40, Henderson, Ky 42420

Source Name: Same
Mailing Address: Same

Source Location: 2315 Adams Lane, Henderson, Kentucky

Permit Type: Federally-Enforceable
Review Type: Title V

Permit Number: V-98-039
Log Number: F505
Application
Complete Date: February 20, 1998

KYEIS ID #: 077-1760-0030
AFS Plant ID #: 21-101-0030
SIC Code: 3499

Region: Owensboro
County: Henderson

Issuance Date: December 4, 1998
Expiration Date: December 4, 2003

John E. Hornback, Director
Division for Air Quality

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application which was determined to be complete on February 20, 1998, the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This draft permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in the Regulation 401 KAR 50:035, Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

01 (450)

White Repair Coating Line - 450

Description:

Air Gun Spray applicator

1,000 pieces per hour

Construction Commenced: 1986

Control Equipment: Low VOC coatings

APPLICABLE REGULATIONS:

401 KAR 59:225, New miscellaneous metal parts and products surface coating operations which commenced on or after February 4, 1981.

Each affected facility commenced on or after the classification date defined in Section 1 of 401 KAR 59:225 but prior to the effective date of the regulation which is part of a major source located in a county or portion of a county designated attainment or marginally nonattainment for ozone in 401 KAR 51:010 shall be exempt from 401 KAR 59:225 except that control devices and procedures required at the time it commenced shall continue to be operated and maintained.

401 KAR 59:010, New process operations which commenced on or after July 2, 1975.

1. Operating Limitations:

The twenty-four hour average VOC content of the coatings shall be less than 3.5lbs VOC/gallon (minus water).

2. Emission Limitations:

Emissions of particulate matter shall not exceed 2.34 lbs/hr.

Compliance with the opacity limitation shall be deemed compliance with this standard.

Opacity of visible emissions shall not equal or exceed 20 %.

Compliance shall be demonstrated via the semi-annual Method 9 reading found in item 4 Specific Monitoring Requirements below.

3. Testing Requirements:

NA

4. Specific Monitoring Requirements:

The permittee shall perform semi-annual method 9 opacity readings.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

5. Specific Recordkeeping Requirements:

The permittee shall maintain, on site, documentation from the manufacturer of each coating, solvent and clean up solvent which indicates the VOC and HAP content.

6. Specific Reporting Requirements:

Semi-annual coating, solvent and cleaning solvent usage, and the method 9 opacity readings shall be reported to the Division for Air Quality's Owensboro office. In addition, the permittee shall calculate the average VOC content of the coatings used and submit the calculation and documentation from the manufacturer which indicates VOC content of each coating. See Section F, condition 5.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

02 (450)

White Repair Coat Drying Zone - 450

Description:

650 pieces per hour

Construction Commenced: 1981

Control Equipment: None

APPLICABLE REGULATIONS:

401 KAR 59:010, New process operations which commenced on or after July 2, 1975.

1. Operating Limitations:

NA

2. Emission Limitations:

Emissions of particulate matter shall not exceed 2.34 lbs/hr.

Compliance with the opacity limitation shall be deemed compliance with this standard.

Opacity of visible emissions shall not equal or exceed 20 %.

Compliance shall be demonstrated via the semi-annual Method 9 reading found in item 4 Specific Monitoring Requirements below.

3. Testing Requirements:

NA

4. Specific Monitoring Requirements:

The permittee shall perform semi-annual method 9 opacity readings.

5. Specific Recordkeeping Requirements:

NA

6. Specific Reporting Requirements:

The method 9 opacity readings shall be reported to the Division for Air Quality's Owensboro office. See Section F, conditions 5 and 7.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

03 (449)

Gray Repair Coating Line - 449

Description:

1,000 pieces per hour

Construction Commenced: 1986

Control Equipment: Low VOC coatings

APPLICABLE REGULATIONS:

401 KAR 59:225 New miscellaneous metal parts and products surface coating operations which commenced on or after February 4, 1981.

Each affected facility commenced on or after the classification date defined in Section 1 of 401 KAR 59:225 but prior to the effective date of the regulation which is part of a major source located in a county or portion of a county designated attainment or marginally nonattainment for ozone in 401 KAR 51:010 shall be exempt from 401 KAR 59:225 except that control devices and procedures required at the time it commenced shall continue to be operated and maintained.

401 KAR 59:010, New process operations which commenced on or after July 2, 1975.

1. Operating Limitations:

The twenty-four hour average VOC content of the coatings shall be less than 3.5lbs VOC/gallon (minus water).

2. Emission Limitations:

Emissions of particulate matter shall not exceed 2.34 lbs/hr.

Compliance with the opacity limitation shall be deemed compliance with this standard.

Opacity of visible emissions shall not equal or exceed 20 %.

Compliance shall be demonstrated via the semi-annual Method 9 reading found in item 4 Specific Monitoring Requirements below.

3. Testing Requirements:

NA

4. Specific Monitoring Requirements:

The permittee shall perform semi-annual method 9 opacity readings.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

5. Specific Recordkeeping Requirements:

The permittee shall maintain, on site, documentation from the manufacturer of each coating which indicates the VOC and HAP content.

6. Specific Reporting Requirements:

Semi-annual coating, solvent and cleaning solvent usage, and the method 9 opacity readings shall be reported to the Division for Air Quality's Owensboro office. In addition, the permittee shall calculate the average VOC content of the coatings used and submit the calculation and documentation from the manufacturer which indicates VOC content of each coating. See Section F, conditions 5 and 7.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

04 (449)

Gray Repair Coat Drying Zone - 449

Description:

650 pieces per hour

Construction Commenced: 1986

Control Equipment: Low VOC coatings

APPLICABLE REGULATIONS:

401 KAR 59:010, New process operations which commenced on or after July 2, 1975.

1. Operating Limitations:

NA

2. Emission Limitations:

Opacity of visible emissions shall not equal or exceed 20 %.

3. Testing Requirements:

Emissions of particulate matter shall not exceed 2.34 lbs/hr.

Compliance with the opacity limitation shall be deemed compliance with this standard.

Opacity of visible emissions shall not equal or exceed 20 %.

Compliance shall be demonstrated via the semi-annual Method 9 reading found in item 4 Specific Monitoring Requirements below.

4. Specific Monitoring Requirements:

The permittee shall perform semi-annual method 9 opacity readings.

5. Specific Recordkeeping Requirements:

NA

6. Specific Reporting Requirements:

The method 9 opacity readings shall be reported to the Division for Air Quality's Owensboro office. See Section F, conditions 5 and 7.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

08 (450)

White Electrocoat Dip Tank & Oven - 450

Description:

12,000 gallon Electrodeposition Tank

650 pieces per hour

Construction Commenced: 1982

Control Equipment: None

APPLICABLE REGULATIONS:

401 KAR 59:225 New miscellaneous metal parts and products surface coating operations which commenced on or after February 4, 1981.

Each affected facility commenced on or after the classification date defined in Section 1 of 401 KAR 59:225 but prior to the effective date of the regulation which is part of a major source located in a county or portion of a county designated attainment or marginally nonattainment for ozone in 401 KAR 51:010 shall be exempt from 401 KAR 59:225 except that control devices and procedures required at the time it commenced shall continue to be operated and maintained.

401 KAR 59:015, New indirect heat exchangers which commenced on or after April 9, 1972.

1. Operating Limitations:

The twenty-four hour average VOC content of the coatings shall be less than 3.5lbs VOC/gallon (minus water).

2. Emission Limitations:

Emissions of particulate matter shall not exceed 0.32 lb/mmBTU/hr.

Emissions of sulfur dioxide shall not exceed 1.0 lb/mmBTU/hr.

The use of natural gas as fuel for the oven burner shall be deemed as a demonstration of compliance with these emission limitations.

Opacity of visible emissions shall not exceed 20 %.

See item 4 Specific Monitoring Requirements for the compliance demonstration method.

3. Testing Requirements:

NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

4. Specific Monitoring Requirements:

The permittee shall perform semi-annual method 9 opacity readings.

5. Specific Recordkeeping Requirements:

The permittee shall maintain, on site, documentation from the manufacturer of each coating which indicates the VOC and HAP content.

6. Specific Reporting Requirements:

Semi-annual coating, solvent and cleaning solvent usage, and the method 9 opacity readings shall be reported to the Division for Air Quality's Owensboro office. In addition, the permittee shall calculate the average VOC content of the coatings used and submit the calculation and documentation from the manufacturer which indicates VOC content of each coating. See Section F, conditions 5 and 7.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

09 (19)

Boiler 1

Description:

21mmBTU/hr

Fire Tube Boiler, North American 3500 XH-D

Construction Commenced: 1974

Control Equipment: None

APPLICABLE REGULATIONS:

401 KAR 59:015, New indirect heat exchangers which commenced on or after April 9, 1972.

1. Operating Limitations:

Natural gas shall be utilized as the primary fuel with #2 Fuel oil as backup.

2. Emission Limitations:

Emissions of particulate matter shall not exceed 0.32 lb/mmBTU/hr.

Emissions of sulfur dioxide shall not exceed 1.0 lb/mmBTU/hr.

The use of natural gas as fuel for the oven burner(s) shall be deemed as a demonstration of compliance with these emission limitations.

See item 6 for demonstration of compliance with the foregoing emission standards when #2 Fuel oil is utilized as fuel.

Opacity of visible emissions shall not exceed 20%.

See item 4 "Specific Monitoring Requirements" for compliance demonstration with this limitation.

3. Testing Requirements:

NA

4. Specific Monitoring Requirements:

The permittee shall perform semi-annual method 9 opacity readings.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

5. Specific Recordkeeping Requirements:

NA

6. Specific Reporting Requirements:

Semi-annually, the permittee shall provide the Owensboro Regional Office with an analysis which indicates the sulfur content of the # 2 fuel oil if any is used. In addition, the method 9 opacity readings shall be reported.
See Section F, conditions 5 and 7.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

12 (27)

Boiler 2

Description:

21mmBTU/hr

Fire Tube Boiler, North American 3500 XH-D

Construction Commenced: 1974

Control Equipment: None

APPLICABLE REGULATIONS:

401 KAR 59:015, New indirect heat exchangers which commenced on or after April 9, 1972.

1. Operating Limitations:

Natural gas shall be utilized as the primary fuel with #2 Fuel oil as backup.

2. Emission Limitations:

Emissions of particulate matter shall not exceed 0.32 lb/mmBTU/hr.

Emissions of sulfur dioxide shall not exceed 1.0 lb/mmBTU/hr.

The use of natural gas as fuel for the oven burner(s) shall be deemed as a demonstration of compliance with these emission limitations.

See item 6 for demonstration of compliance with the foregoing emission standards when #2 Fuel oil is utilized as fuel.

Opacity of visible emissions shall not exceed 20%.

See item 4 "Specific Monitoring Requirements" for compliance demonstration with this limitation.

3. Testing Requirements:

NA

4. Specific Monitoring Requirements:

The permittee shall perform semi-annual method 9 opacity readings.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

5. Specific Recordkeeping Requirements:

NA

6. Specific Reporting Requirements:

Semi-annually, the permittee shall provide the Owensboro Regional Office with an analysis which indicates the sulfur content of the # 2 fuel oil if any is used. In addition, the method 9 opacity readings shall be reported.
See Section F, conditions 5 and 7.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

15 (35, 36, 37, 38, 39)

Process Heaters & Rinse Tank - 450

Description:

Metal Cleaning and Treatment
1,000 pieces per hour
Construction Commenced: 1981
Control Equipment: None

APPLICABLE REGULATIONS:

401 KAR 59:015, New indirect heat exchangers which commenced on or after April 9, 1972.

1. Operating Limitations:

NA

2. Emission Limitations:

Emissions of particulate matter shall not exceed 0.32 lb/mmBTU/hr.
Emissions of sulfur dioxide shall not exceed 1.0 lb/mmBTU/hr.

The use of natural gas as fuel for the oven burner shall be deemed as a demonstration of compliance with these emission limitations.

Opacity of visible emissions shall not exceed 20 %.

See item 4 Specific Monitoring Requirements for the compliance demonstration method.

3. Testing Requirements:

NA

4. Specific Monitoring Requirements:

The permittee shall perform semi-annual method 9 opacity readings.

5. Specific Recordkeeping Requirements:

NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

6. Specific Reporting Requirements:

The method 9 opacity readings shall be reported to the Division for Air Quality's Owensboro office.

See Section F, conditions 5 and 7.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

23 (54, 55, 56, 59, 60)

Process Heaters & Rinse Tank - 449

Description:

Metal Cleaning and Treatment
1,000 pieces per hour
Construction Commenced: 1982
Control Equipment: None

APPLICABLE REGULATIONS:

401 KAR 59:015, New indirect heat exchangers which commenced on or after April 9, 1972.

1. Operating Limitations:

NA

2. Emission Limitations:

Emissions of particulate matter shall not exceed 0.32 lb/mmBTU/hr.
Emissions of sulfur dioxide shall not exceed 1.0 lb/mmBTU/hr.

The use of natural gas as fuel for the oven burner shall be deemed as a demonstration of compliance with these emission limitations.

Opacity of visible emissions shall not exceed 20 %.

See item 4 Specific Monitoring Requirements for the compliance demonstration method.

3. Testing Requirements:

NA

4. Specific Monitoring Requirements:

The permittee shall perform semi-annual method 9 opacity readings.

5. Specific Recordkeeping Requirements:

NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

6. Specific Reporting Requirements:

The method 9 opacity readings shall be reported to the Division for Air Quality's Owensboro office. See Section F, conditions 5 and 7.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

24 (449)

Gray Electrocoat Tank & Oven -449

Description:

17,500 gallon Electrodeposition Tank

1,000 pieces per hour

Construction Commenced: 1982

Control Equipment: None

APPLICABLE REGULATIONS:

401 KAR 59:225 New miscellaneous metal parts and products surface coating operations which commenced on or after February 4, 1981.

Each affected facility commenced on or after the classification date defined in Section 1 of 401 KAR 59:225 but prior to the effective date of the regulation which is part of a major source located in a county or portion of a county designated attainment or marginally nonattainment for ozone in 401 KAR 51:010 shall be exempt from 401 KAR 59:225 except that control devices and procedures required at the time it commenced shall continue to be operated and maintained.

401 KAR 59:015, New indirect heat exchangers which commenced on or after April 9, 1972.

1. Operating Limitations:

The twenty-four hour average VOC content of the coatings shall be less than 3.5lbs VOC/gallon (minus water).

2. Emission Limitations:

Emissions of particulate matter shall not exceed 0.32 lb/mmBTU/hr.

Emissions of sulfur dioxide shall not exceed 1.0 lb/mmBTU/hr.

The use of natural gas as fuel for the oven burner shall be deemed as a demonstration of compliance with these emission limitations.

Opacity of visible emissions shall not exceed 20 %.

See item 4 Specific Monitoring Requirements for the compliance demonstration method.

3. Testing Requirements:

NA

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

4. Specific Monitoring Requirements:

The permittee shall perform semi-annual method 9 opacity readings.

5. Specific Recordkeeping Requirements:

The permittee shall maintain, on site, documentation from the manufacturer of each coating which indicates the VOC and HAP content.

6. Specific Reporting Requirements:

Semi-annual coating, solvent and cleaning solvent usage, and the method 9 opacity readings shall be reported to the Division for Air Quality's Owensboro office. In addition, the permittee shall calculate the average VOC content of the coatings used and submit the calculation and documentation from the manufacturer which indicates VOC content of each coating. See Section F, conditions 5 and 7.

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to Regulation 401 KAR 50:035, Section 5(4). While these activities are designated as insignificant the permittee must comply with the applicable regulation.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. Wire Welders (476 & 469)	61:020
2. Wire Welders (477 & 468)	61:020
3. Shot Blaster (727)	61:020
4. Wire Welders (478)	61:020
5. Two Shot Blasters (302)	61:020
6. Wire Welders (471)	61:020
7. Fuel Storage Tanks # 2 Fuel Oil # 6 Diesel	NA
8. Two Hydraulic Oil Storage Tanks	NA
9. Wastewater Treatment Facility	NA

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

PM, SO₂ and VOC emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. When continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place as defined in this permit, and time of sampling or measurements.
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement;
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality. [401 KAR 50:035, Permits, Section 7(1)(d)2 and 401 KAR 50:035, Permits, Section 7(2)(c)]
3. In accordance with the requirements of Regulation 401 KAR 50:035, Permits, Section 7(2)(c) the permittee shall allow the Cabinet or authorized representatives to perform the following:
 - a. Enter upon the premises where a source is located or emissions-related activity is conducted, or where records are kept;
 - b. Have access to and copy, at reasonable times, any records required by the permit:
 - i. During normal office hours, and
 - ii. During periods of emergency when prompt access to records is essential to proper assessment by the Cabinet;
 - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times shall include, but are not limited to the following:
 - i. During all hours of operation at the source,
 - ii. For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
 - iii. During an emergency; and
 - d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements. Reasonable times shall include, but are not limited to the following:
 - i. During all hours of operation at the source,
 - ii. For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
 - iii. During an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

5. Reports of any monitoring required by this permit shall be reported to the Division's Owensboro Regional Office no later than the six-month anniversary date of this permit and every six months thereafter during the life of this permit, unless otherwise stated in this permit. All reports shall be certified by a responsible official pursuant to Section 6(1) of Regulation 401 KAR 50:035, Permits. All deviations from permit requirements shall be clearly identified in the reports.
6.
 - a. In accordance with the provisions of Regulation 401 KAR 50:055, Section 1 the owner or operator shall notify the Division for Air Quality's Owensboro Regional Office concerning startups, shutdowns, or malfunctions as follows:
 1. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 2. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
 - b. In accordance with the provisions of Regulation 401 KAR 50:035, Section 7(1)(e)2, the owner or operator shall promptly (within seven working days) report deviations from permit requirements including those attributed to upset conditions (other than emission exceedances covered by general condition 6 a. above) to the Division for Air Quality's Owensboro Regional Office.
7. Pursuant to Regulation 401 KAR 50:035, Permits, Section 7(2)(b), the permittee shall certify compliance with the terms and conditions contained in this permit, annually on the permit issuance anniversary date by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Division for Air Quality's Owensboro Regional Office and the U.S. EPA in accordance with the following requirements:
 - a. Identification of each term or condition of the permit that is the basis of the certification;
 - b. The compliance status regarding each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent; and
 - d. The method used for determining the compliance status for the source, currently and over the reporting period, pursuant to 401 KAR 50:035, Section 7(1)(c),(d), and (e).
 - e. The certification shall be postmarked by the thirtieth (30) day following the applicable permit issuance anniversary date. Annual compliance certifications should be mailed to the following addresses:

Division for Air Quality
3032 Alvey Park Drive W.
Suite 700
Owensboro, Kentucky 42303

U.S. EPA Region IV
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth St.
Atlanta, GA 30303-8960

Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING

REQUIREMENTS (CONTINUED)

8. In accordance with Regulation 401 KAR 50:035, Section 23, the permittee shall provide the division with all information necessary to determine its subject emissions within thirty (30) days of the date the KEIS emission report is mailed to the permittee.

SECTION G - GENERAL CONDITIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be (a) violation(s) of state regulation 401 KAR 50:035, Permits, Section 7(3)(d) and for federally enforceable permits is also a violation of Federal Statute 42 USC 7401 through 7671q and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this permit.
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition.
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to Regulation 401 KAR 50:035, Section 12(2)(c);
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish to the Division, in writing, information that the Division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. [401 KAR 50:035, Permits, Section 7(2)(b)3e and 401 KAR 50:035, Permits, Section 7(3)(j)]
5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority.

SECTION G - GENERAL CONDITIONS (CONTINUED)

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit. [401 KAR 50:035, Permits, Section 7(3)(k)]
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance. [401 KAR 50:035, Permits, Section 7(3)(e)]
8. Except as identified as state-origin requirements in this permit, all terms and conditions contained herein shall be enforceable by the United States Environmental Protection Agency and citizens of the United States.
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6). [401 KAR 50:035, Permits, Section 7(3)(h)]
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 50:035, Permits, Section 8(3)(b)]
11. This permit shall not convey property rights or exclusive privileges. [401 KAR 50:035, Permits, Section 7 (3)(g)]
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry. [401 KAR 50:035 , Permits, Section 7(2)(b)5]
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders. [401 KAR 50:035, Permits, Section 8(3)(a)]
15. Permit Shield: Except as provided in State Regulation 401 KAR 50:035, Permits, compliance by the affected facilities listed herein with the conditions of this permit shall be deemed to be compliance with all applicable requirements identified in this permit as of the date of issuance of this permit.
16. All previously issued construction and operating permits are hereby null and void.

SECTION G - GENERAL CONDITIONS (CONTINUED)

(b) Permit Expiration and Reapplication Requirements

1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division. [401 KAR 50:035, Permits, Section 12]

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of Regulation 401 KAR 50:035, Section 15.
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority thirty (30) days in advance of the transfer.

(d) Emergency Provisions

1. An emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
 - d. The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two working days after the time when emission limitations were exceeded due to the emergency. The notice shall meet the requirements of 401 KAR 50:035, Permits, Section 7(1)(e)2, and include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken. This requirement does not relieve the source of any other local, state or federal notification requirements.
2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement.

SECTION G - GENERAL CONDITIONS (CONTINUED)

3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 50:035, Permits, Section 9(3)]

(e) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall:
 - a. Submit a Risk Management Plan to U.S.EPA, Region IV with a copy to this Division and comply with the Risk Management Program by June 21, 1999 or a later date specified by the U.S.EPA.
 - b. Submit additional relevant information if requested by the Division or the U.S. EPA.

(f) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

SECTION H - ALTERNATE OPERATING SCENARIOS

NA

SECTION I - COMPLIANCE SCHEDULE

NA